

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

NICOLE LYNN ZABEL and
KENNETH ALI CARMAN,

Defendants.

4:15CR3044

ORDER

Defendant Zabel, has moved to continue the pretrial motion deadline, (filing no. 27), because the defendant and defense counsel need additional time to fully review the discovery received before deciding if pretrial motions should be filed. The government has not responded to the motion to continue, and the deadline for doing so has passed. The motion is therefore deemed unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Zabel's motion to continue, (filing no. 27), is granted.
- 2) **As to both defendants**, Pretrial motions and briefs shall be filed on or before July 29, 2015.
- 3) **As to both defendants**, Trial of this case is continued pending resolution of any pretrial motions filed.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and **as to both defendants**, the additional time arising as a result of the granting of the motion, the time between today's date and July 29, 2015, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

July 13, 2015.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge